IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

JENNIE COURTNEY, ETC.,)
Plaintiff,)
VS.) Case No. 2:06-cv-600-MHT
ANTHONY CLARK, et al.,)
Defendants.)

MOTION FOR LEAVE TO AMEND DEFENDANT HOLLIS & SPANN, INC.'S ANSWER

Comes now defendant Hollis & Spann, Inc. and hereby moves this Honorable Court for leave to amend its Answer, pursuant to Fed. R. Civ. P. 15(a), on the following grounds:

- This amendment is made within the November 1, 2006, deadline to amend the pleadings set forth in this Court's Uniform Scheduling Order.
- 2. Justice would be served by allowing this defendant to plead the protections afforded under Alabama law.
- The plaintiff will not be prejudiced by this defendant's amendment of its affirmative defenses within the provisions of this Court's Uniform Scheduling Order.

WHEREFORE premises considered, this defendant respectfully requests this Honorable Court to grant leave for this defendant to amend its Answer in accordance with Fed. R. Civ. P. 15(a) and this Court's Uniform Scheduling Order.

Respectfully submitted,

STEVEN K. HERNDON (HER/028) MATTHEW Y. BEAM (BEA065)

Attorneys for Defendant Hollis & Spann, Inc..

Filed 11/01/2006

OF COUNSEL:

Gidiere, Hinton, Herndon & Christman

P. O. Box 4190

Montgomery, AL 36103 Telephone: (334) 834-9950

FAX: (334) 834-1054 steve@ghhclaw.com

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 15 day of November 2006, electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of each filing to the following:

Attorneys for Plaintiff

Mr. Britt V. Bethea Mr. J. David Greene, Jr. Mr. Will G. Phillips Greene & Phillips 50 N. Florida Street Mobile, AL 36607

Telephone: (251) 478-1115 Facsimile: (251) 471-3920 jdgreene@greenephillips.com wgphillips@greenephillips.com

Attorneys for Defendants Anthony Clark, Jerry Wayne Edgar, and Walter Inabinett

Mr. Daryl L. Masters Mr. Gary L. Willford, Jr. Webb & Eley, PC P.O. Box 240909

Montgomery, AL 36124-0909 Telephone: (334) 262-1850 Facsimile: (334) 262-1889 rrobertson@webbeley.com gwillford@webbeley.com

Attorney for Defendant Black Creek Integrated Systems Corp.

Case 2:06-cv-00600-MHT-WC

Mr. Bert Pittman Taylor Taylor & Smith, PC P.O. Box 489

Orange Beach, AL 36561-0489 Telephone: (251) 981-8430 Facsimile: (251) 981-8425 cyk@taylorritter.com

Defendants:

James Darren Harnage AIS#239251 P. O. Box 150 Mount Meigs, AL 36057

Oscar Roy Doster AIS #177168 P. O. Box 150 Mount Meigs, AL 36057

Attorneys for Dickey & Associates, Inc.

Mr. Alan Thomas Hargrove, Jr. Mr. Richard Brett Garrett Rushton, Stakely, Johnston & Garrett, PC P.O. Box 270

Montgomery, AL 36101-0270 Telephone: (334) 206-3100 Facsimile: (334) 262-6277 ath@rsjg.com bg@rsjg.com